

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 6920 of 2004

Between:

Syeda Fathima Hussain, w/o Mir Ali Mohd.Ali Khan alias Siddique,
r/o 101, Akbar Bagh, Arman Towers, Malakpet, Hyderabad.

..... PETITIONER

AND

- 1 State of Andhra Pradesh, rep., by the Secretary (Political) & Specially Empowered Officer, General Administration Department, Government of Andhra Pradesh, Hyderabad.
- 2 The Superintendent, Central Prison, Chenchalguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, direction or order, more particularly one in the nature of a writ of mandamus, holding the actions of the respondents in not permitting the petitioner to visit her husband who is under the custody of the 2nd respondent as unconstitutional, illegal, arbitrary and against all principles of fair play and natural justice and consequently direct the respondents to allow the petitioner to visit her husband once every week, after taking due precautions as may be felt necessary and proper by them till such time that he is in the custody of the 2nd respondent.

Counsel for the Petitioner: MR. SRINIVAS SIVARAJU

Counsel for the Respondents: GP FOR GENERAL ADMINISTRATION

The Court made the following :

ORDER :

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Heard the learned counsel appearing for both sides and at their request, the main Writ Petition is taken up for disposal.

The grievance of the petitioner, who is wife, is that inspite of requests made, she is not being permitted to visit her husband, who has been detained under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974. No doubt, the said order of detention was made against the petitioner's husband as long as in October, 2003 and the challenge made against it was also unsuccessful. The request of petitioner-wife appears to be reasonable. This Court has already granted interim direction in this regard on 26.04.2004 in W.P.M.P.No.8997 of 2004. It is represented by both the counsel that the petitioner is visiting her husband and in view of the same, no further orders are necessary in this Writ Petition.

Having regard to the above submission, the Writ Petition is disposed of in terms of the interim order in W.P.M.P.No.8997 of 2004, dated 26.04.2004. No costs.

14.09.2004

DRK

Copy to:

Empowered Officer, General Administration Department,
Government of Andhra Pradesh, Hyderabad.

2 The Superintendent, Central Prison, Chenchalguda,
Hyderabad.

3 Two CCs to the G.P. for General Administration, High Court buildings, High
Court of A.P., Hyderabad (o.u.t.).

4 Two CD copies.